

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
Courtroom 6C Calendar**

Monday, November 14, 2016

Hearing Room

6C

9:00 AM

8:13-13034 Raul Andrade Romana and Lorence Martin Romana

Chapter 13

#1.00

Motion for relief from stay [Real Property]

HSBC Bank USA, National Association, As Trustee For The Holders Of The Deutsche Alt-A Securities, Inc. Mortgage Loan Trust, Mortgage Pass-Through Certificates Series 2007-OA4 vs. DEBTORS
(Motion filed 10/19/16)

[RE: 191 North Deana Street, Anaheim, California 92807-3002]

Docket 85

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Also, grant the following relief:

- Box 3. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement.

- Box 12. Upon entry of the order, for purposes of Cal. Civ. Code § 2923.5, the Debtor is a borrower as defined in Cal. Civ.Code § 2920.5(c)(2)(C).

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

**United States Bankruptcy Court
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Monday, November 14, 2016

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6C

9:00 AM

CONT... Raul Andrade Romana and Lorence Martin Romana

Chapter 13

Party Information

Debtor(s):

Raul Andrade Romana

Represented By

Sundee M Teeple

Craig K Streed

Michelle A Marchisotto

Michael Smith

Joint Debtor(s):

Lorence Martin Romana

Represented By

Sundee M Teeple

Craig K Streed

Michelle A Marchisotto

Michael Smith

Movant(s):

HSBC Bank USA, National

Represented By

Erica T Loftis

Trustee(s):

Amrane (SA) Cohen (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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Monday, November 14, 2016

Hearing Room 6C

9:00 AM

8:13-14530 Mary Margaret Cunningham

Chapter 7

#2.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTOR
(Motion filed 10/14/16)

[RE: 2962 Copa De Oro Drive, Los Alamitos, California 90720]

Docket 58

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) **as to the estate** to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

Deny as moot as to the debtor in view of her discharge on November 12, 2013.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Also, grant the following relief:

- Box 3. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement.

The Opposition is untimely and will be stricken.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

**United States Bankruptcy Court
Central District of California
Santa Ana
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CONT... Mary Margaret Cunningham

Chapter 7

Debtor(s):

Mary Margaret Cunningham

Pro Se

Movant(s):

JPMorgan Chase Bank, National

Represented By
William F McDonald III

Trustee(s):

Thomas H Casey (TR)

Represented By
Thomas H Casey (TR)

**United States Bankruptcy Court
Central District of California
Santa Ana
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Monday, November 14, 2016

Hearing Room 6C

9:00 AM

8:16-11331 Siamak Yeganeh Ahang and Nasrin Yeganeh

Chapter 7

#3.00

Motion for relief from stay [Real Property]

JPMorgan Chase Bank, National Association vs. DEBTORS
(Motion filed 10/19/16)

[RE: 33392 Palo Alto Street, Dana Point, CA 92629]

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted **as to the estate** pursuant to 11 U.S.C. §§ 362(d)(1) and (d)(2) to permit movant, its successors, transferees and assigns, to enforce its remedies to foreclose upon and obtain possession of the subject property in accordance with applicable law, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

Deny as to the debtors on ground of mootness in view of debtors' discharge on July 18, 2016.

The 14-day stay provided by Rule 4001(a)(3) is waived.

Also, grant the following relief:

- Box 3. Movant, or its agents, may, at its option, offer, provide and enter into a potential forbearance agreement, loan modification, refinance agreement or other loan workout or loss mitigation agreement. Movant, through its servicing agent, may contact the Debtor by telephone or written correspondence to offer such an agreement.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

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CONT... Siamak Yeganeh Ahang and Nasrin Yeganeh

Chapter 7

Party Information

Debtor(s):

Siamak Yeganeh Ahang

Represented By
Edmond Nassirzadeh

Joint Debtor(s):

Nasrin Yeganeh

Represented By
Edmond Nassirzadeh

Trustee(s):

Weneta M Kosmala (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
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9:00 AM

8:16-12730 Jordan Z Clarke and Arati C Clarke

Chapter 7

#4.00

Motion for relief from stay [Personal Property]

Cab West, LLC vs. DEBTORS
(Motion filed 10/12/16)

[RE: 2014 Ford F150 - VIN No.: 1FTFW1CF2EKE08770]

Docket 20

Tentative Ruling:

APPEARANCES REQUIRED.

The motion is granted pursuant to 11 U.S.C. § 362(d)(1) **as to the estate** to permit movant, its successors, transferees and assigns, to enforce its remedies to repossess or otherwise obtain possession and dispose of its collateral pursuant to applicable law, and to use the proceeds from its disposition to satisfy its claim, *unless* the debtor pays all arrearages in full on or before the hearing date on this matter. Movant may not pursue any deficiency claim against the debtor or the estate except by filing a proof of claim pursuant to 11 U.S.C. § 501.

Deny as moot as to the debtors in view of their discharge on October 17, 2016.

The 14-day stay provided by Rule 4001(a)(3) is waived.

The order is binding and effective despite conversion of this bankruptcy case to a case under any other chapter of Title 11 of the U.S. Code.

Deny extraordinary relief under Box 11.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

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CONT... Jordan Z Clarke and Arati C Clarke

Chapter 7

Debtor(s):

Jordan Z Clarke

Represented By
Richard L Barnett

Joint Debtor(s):

Arati C Clarke

Represented By
Richard L Barnett

Trustee(s):

Karen S Naylor (TR)

Pro Se

**United States Bankruptcy Court
Central District of California
Santa Ana
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Monday, November 14, 2016

Hearing Room

6C

2:00 PM

8:12-23047 Jeffrey Sumner Childs

Chapter 7

#1.00

CONT'D Hearing RE: Motion To Approve Sean Tucker And Leslie Tucker As Qualified Bidders And As Entitled To Credit Bid
(Motion filed 7/26/16) (OST Entered 7-27-16)
(Motion set per Order Entered 10/19/16 - Docket No. 522)

Docket 474

Tentative Ruling:

APPEARANCES REQUIRED.

The chapter 7 trustee proposes to settle pending litigation between the estate and creditor C.B. Nanda through a sale to Mr. Nanda of the estate's claims and causes of action against Mr. Nanda. The Court granted the sale motion by order entered on or about June 30, 2016 and approved the sale pursuant to proposed overbid procedures. Creditors Sean and Leslie Tucker filed a motion on or about July 26, 2016 (the "Motion") asking the Court to determine that they are qualified to present overbids at the sale and to credit bid the amount of their secured claim(s) in the case. The chapter 7 trustee filed an opposition to the Motion on August 3, 2016.

The Court ordered these matters into mediation, but they failed to settle through mediation.

The chapter 7 trustee has alleged in his opposition to the Motion that the Tuckers do not hold a security interest in the assets to be sold pursuant to the Court order entered June 30, 2016 (referenced above). The Tuckers, of course, assert in the Motion and in their reply to the trustee's opposition that they in fact hold such an interest in the assets to be sold. The Court cannot meaningfully address and determine the Motion until it has first established the precise nature of the Tuckers' secured claim(s) in this case.

Accordingly, the Court will stay all matters relating to the Motion and the asset sale approved by the June 30, 2016 order for a period of 120 days to permit the Tuckers or the Trustee to commence an adversary proceeding under Federal Rule of Bankruptcy

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CONT...

Jeffrey Sumner Childs

Chapter 7

Procedure 7004(2) to determine the validity, priority and extent of liens the Tuckers allege they hold on estate property. If such a proceeding is commenced within such period, the Court will stay the Motion and the asset sale until judgment is entered in such adversary proceeding. If no such proceeding is commenced within such 120 day period, the Court will set a hearing on the Motion and the auction.

In order to implement and monitor the foregoing, the Court will continue the status conference in this case to March 20, 2017 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Jeffrey Sumner Childs

Pro Se

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ashley M McDow
Jeffrey I Golden (TR)
Michael T Delaney

**United States Bankruptcy Court
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2:00 PM

8:12-23047 Jeffrey Sumner Childs

Chapter 7

#2.00

CONT'D STATUS CONFERENCE RE: Hearing RE: Motion To Approve Sean Tucker And Leslie Tucker As Qualified Bidders And As Entitled To Credit Bid (Motion filed 7/26/16) (OST Entered 7-27-16) (S/C set at hearing held 8/8/16)

FR: 8-8-16; 10-19-16

Docket 474

Tentative Ruling:

APPEARANCES REQUIRED.

The chapter 7 trustee proposes to settle pending litigation between the estate and creditor C.B. Nanda through a sale to Mr. Nanda of the estate's claims and causes of action against Mr. Nanda. The Court granted the sale motion by order entered on or about June 30, 2016 and approved the sale pursuant to proposed overbid procedures. Creditors Sean and Leslie Tucker filed a motion on or about July 26, 2016 (the "Motion") asking the Court to determine that they are qualified to present overbids at the sale and to credit bid the amount of their secured claim(s) in the case. The chapter 7 trustee filed an opposition to the Motion on August 3, 2016.

The Court ordered these matters into mediation, but they failed to settle through mediation.

The chapter 7 trustee has alleged in his opposition to the Motion that the Tuckers do not hold a security interest in the assets to be sold pursuant to the Court order entered June 30, 2016 (referenced above). The Tuckers, of course, assert in the Motion and in their reply to the trustee's opposition that they in fact hold such an interest in the assets to be sold. The Court cannot meaningfully address and determine the Motion until it has first established the precise nature of the Tuckers' secured claim(s) in this case.

Accordingly, the Court will stay all matters relating to the Motion and the asset sale

**United States Bankruptcy Court
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2:00 PM

CONT... Jeffrey Sumner Childs

Chapter 7

approved by the June 30, 2016 order for a period of 120 days to permit the Tuckers or the Trustee to commence an adversary proceeding under Federal Rule of Bankruptcy Procedure 7004(2) to determine the validity, priority and extent of liens the Tuckers allege they hold on estate property. If such a proceeding is commenced within such period, the Court will stay the Motion and the asset sale until judgment is entered in such adversary proceeding. If no such proceeding is commenced within such 120 day period, the Court will set a hearing on the Motion and the auction.

In order to implement and monitor the foregoing, the Court will continue the status conference in this case to March 20, 2017 at 2:00 p.m.

COURT TO PREPARE ORDER.

Party Information

Debtor(s):

Jeffrey Sumner Childs

Pro Se

Movant(s):

Sean P. Tucker

Represented By
Roger F Friedman
Leonard M Shulman
James Stang

Leslie A. Tucker

Represented By
Roger F Friedman
James Stang

Trustee(s):

Jeffrey I Golden (TR)

Represented By
Ashley M McDow
Jeffrey I Golden (TR)
Michael T Delaney

**United States Bankruptcy Court
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2:00 PM

8:14-11729 Richard Clark Farrell

Chapter 7

#3.00

CONT'D Hearing RE: Debtor's Motion To Compel Trustee To Return Debtor's
Post-Petition Income
(Motion filed 7/11/16)

FR: 8-1-16

Docket 510

***** VACATED *** REASON: CONTINUED TO JANUARY 9, 2017 AT
2:00 P.M. PER ORDER ENTERED 11-2-16 - [Docket No. 638]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Movant(s):

Richard Clark Farrell

Represented By
Michael G Spector
William M. Hulsy
Michael R Adele

Trustee(s):

Karen S Naylor (TR)

Represented By
Nanette D Sanders
Brian R Nelson

**United States Bankruptcy Court
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Monday, November 14, 2016

Hearing Room 6C

2:00 PM

8:14-13587 Stuart A Smith and Renee M Smith

Chapter 11

#4.00

Hearing RE: Shulman Hodges & Bastian LLP's Motion To Withdraw As Counsel
For The Debtors
(Motion filed 10/20/16)

Docket 463

Tentative Ruling:

APPEARANCES REQUIRED.

Grant the motion.

MOVANT TO LODGE ORDER VIA LOU WITHIN 7 DAYS.

Party Information

Debtor(s):

Stuart A Smith

Represented By
James C Bastian Jr
Melissa Davis Lowe
Mark Bradshaw
Ryan D ODea
Leonard M Shulman

Joint Debtor(s):

Renee M Smith

Represented By
James C Bastian Jr
Melissa Davis Lowe
Mark Bradshaw
Ryan D ODea
Leonard M Shulman

**United States Bankruptcy Court
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Monday, November 14, 2016

Hearing Room

6C

2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#5.00

CONT'D Hearing RE: Debtors' Second Omnibus Objection To Claims Based
On No Liability for Such Claims [Pension Claims of Employees]
(Motion filed 8/26/16)

Claim No. 1-1	Barry Koltnow	\$19,162.08
Claim No. 2-1	Barry Koltnow	\$19,162.08
Claim No. 4-1	Barry Koltnow	\$19,162.08
Claim No. 6-1	Barry Koltnow	\$19,162.08
Claim No. 7.1	Barry Koltnow	\$19,162.08
Claim No. 9-1	Barry Koltnow	\$19,162.08
Claim No. 88-1	Barry Koltnow	\$19,162.08
Claim No. 257.1	Barry Koltnow	\$19,162.08

FR: 9-26-16; 10-17-16

Docket 756

***** VACATED *** REASON: OFF CALENDAR - PER ORDER
ENTERED 10-20-16 - Docket No. 1062]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman

**United States Bankruptcy Court
Central District of California
Santa Ana
Judge Mark Wallace, Presiding
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CONT... Freedom Communications, Inc.

Chapter 11

Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Movant(s):

Freedom Communications, Inc.

Represented By
William N Lobel
William N Lobel
William N Lobel
Beth Gaschen
Beth Gaschen
Beth Gaschen
Alan J Friedman
Alan J Friedman
Alan J Friedman
Christopher J Green
Christopher J Green
Christopher J Green
Caroline Djang
Caroline Djang
Caroline Djang
Scott D Fink
Scott D Fink
Scott D Fink
Reed M Mercado
Reed M Mercado
Reed M Mercado

**United States Bankruptcy Court
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2:00 PM

8:15-15311 Freedom Communications, Inc.

Chapter 11

#6.00

CONT'D Hearing RE: Debtors' Second Omnibus Objection To Claims Based
On No Liability for Such Claims [Pension Claims of Employees]
(Motion filed 8/26/16)

Claim No. 508-1	Richard Allan Wallace	\$83,425.43
Claim No. 195-1	Robert David Threshie	\$92,128.00
Claim No. 196-1	Robert David Threshie	\$679,583.23

FR: 9-26-16; 10-17-16

Docket 756

***** VACATED *** REASON: OFF CALENDAR - PER ORDER
ENTERED 11-4-16 - [Docket No. 1078]**

Tentative Ruling:

- NONE LISTED -

Party Information

Debtor(s):

Freedom Communications, Inc.

Represented By
William N Lobel
Beth Gaschen
Alan J Friedman
Christopher J Green
Caroline Djang
Scott D Fink
Reed M Mercado

Movant(s):

Freedom Communications, Inc.

Represented By
William N Lobel
William N Lobel
William N Lobel

**United States Bankruptcy Court
Central District of California
Santa Ana
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2:00 PM

CONT...

Freedom Communications, Inc.

Chapter 11

Beth Gaschen
Beth Gaschen
Beth Gaschen
Alan J Friedman
Alan J Friedman
Alan J Friedman
Christopher J Green
Christopher J Green
Christopher J Green
Caroline Djang
Caroline Djang
Caroline Djang
Scott D Fink
Scott D Fink
Scott D Fink
Reed M Mercado
Reed M Mercado
Reed M Mercado